

1 Christopher Lundberg, OSB No. 941084
 2 Matthew E. Malmshiemer, OSB No. 033847
 3 **Haglund Kelley LLP**
 4 200 S.W Market Street, Suite 1777
 5 Portland, Oregon 97201
 6 Admitted *Pro Hac Vice*
 7 Tel: (503) 225-0777
 8 Fax: (503) 225-1257
 9 Email: clundberg@hk-law.com
 10 mmalmshiemer@hk-law.com

11 David Springfield, Calif. SBN 226630
 12 **The Springfield Law Firm**
 13 P.O. Box 660 / 12896 Rices Crossing Road
 14 Oregon House, CA 95962
 15 Tel.: (530) 692-2267
 16 Fax: (530) 692-2543
 17 Email: David.Springfield@gmail.com

18 Attorneys for Plaintiffs
 19 BRENDA DAVIS and
 20 DAVID ROY

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**

23 BRENDA DAVIS and DAVID ROY,
 24
 25 Plaintiffs,
 26 v.
 27 CALIFORNIA DEPARTMENT OF
 28 CORRECTIONS et al.,
 29
 30 Defendants.

) Case No: 4:08-cv-04481-SBA
)
) **STIPULATION AND ~~PROPOSED~~**
) **ORDER CONTINUING DEADLINE FOR**
) **RESPONSES AND REPLIES**
) **TO MOTIONS IN LIMINE/OBJECTIONS**
) **TO EVIDENCE**
)
) Courtroom: 1, 4th Floor
) Judge: The Honorable Sandra B. Armstrong
) Trial Date: October 28, 2013
) Action Filed: September 4, 2008
)
)

31 /// /// ///

32 **STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING DEADLINE FOR**
 33 **RESPONSES AND REPLIES TO MOTIONS IN LIMINE/OBJECTIONS TO EVIDENCE**
 34 Case No. 4:08-cv-04481-SBA

0000018052H073 PL25

1 TO THE HONORABLE COURT AND THE CLERK OF THE COURT:

2 PLEASE TAKE NOTICE THAT THE undersigned counsel of record for plaintiffs
3 and defendants hereby stipulate and request that the Court enter the following order:
4

5 The parties jointly and respectfully request that the deadlines to file their Responses
6 to Motions in Limine/Objections to Evidence, and the Replies to those Responses, be continued
7 by an additional week. The current deadline for the Responses to Motions in Limine and
8 Objections to Evidence is October 1, 2013. The current deadline for Replies is October 8, 2013.
9 Dkt. 194. The Pretrial Conference is scheduled for October 22, 2013. Id. However, counsel for
10 plaintiff are currently responding to a potentially dispositive motion in another case which will
11 significantly interfere with their ability to adequately respond to defendant's Motions in Limine
12 under the current deadlines. The requested continuance would make the Responses due on
13 October 8, 2013 and the Replies thereto due on October 15, 2013. The requested extension will
14 track the deadlines set forth in this Court's Standing Order for Pretrial Preparation of Civil Cases,
15 p. 5, ¶¶ 4 & 5 -- i.e., 14-days prior to the Pretrial Conference for Responses and 7-days prior to
16 the Pretrial Conference for Replies. It also will not affect any of the other scheduled deadlines.
17 Accordingly, there is good cause for the requested set over.
18

19
20
21
22
23
24
25
26 /// /// ///

27 **STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING DEADLINE FOR**
28 **RESPONSES AND REPLIES TO MOTIONS IN LIMINE/OBJECTIONS TO EVIDENCE**
Case No. 4:08-cv-04481-SBA

0000018052H073 PL25

1 Respectfully submitted,
2

3 Dated: September 26th, 2013
4

EDMUND G. BROWN JR.
Attorney General of California

5
6 By: /s/ Karen Kiyo Lowhurst
Karen Kiyo Lowhurst,
7 Bonnie Chen, Calif SBN 219349
Deputy Attorneys General
8 Attorneys for Defendants CDCR, Mandel, &
9 McCarthy


10 Dated: September 26th, 2013
11

HAGLUND KELLEY LLP

12 By: /s/ Christopher Lundberg
13 Christopher Lundberg, Oregon OSB No. 941084
Matthew E. Malmshemer, OSB No. 033847
14 Admitted *Pro Hac Vice*
David Springfield, Calif. SBN 226630
15 Attorneys for Plaintiff
16
17

18 Based on the agreement of the parties, and good cause appearing, it is **SO**
19 **ORDERED.** The parties' Responses to Motions in Limine and Objections to Evidence shall be
20 filed no later than October 8, 2013. The Replies thereto shall be filed no later than October 15,
21 2013.
22

23 Dated: 9/26/2013
24


25 SAUNDRA B. ARMSTRONG
26 United States District Judge
27

28 **STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING DEADLINE FOR
RESPONSES AND REPLIES TO MOTIONS IN LIMINE/OBJECTIONS TO EVIDENCE**
Case No. 4:08-cv-04481-SBA

0000018052H073 PL25

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 26th day of September, 2013, I served the foregoing
3 Stipulation and [Proposed] Order Continuing Deadline for Responses and Replies to Motions in
4 Limine/Objections to Evidence, on the following:
5

6 Karen Kiyo Lowhurst
7 Bonnie J. Chen
8 Deputy Attorneys General
9 1515 Clay Street, 20th Floor
10 PO Box 70550
11 Oakland CA 94612-0550

12 Attorneys for Defendants

13 by the following indicated method(s):

- 14 by **mailing** a full, true and correct copy thereof in a sealed first-class postage prepaid
15 envelope, addressed to the foregoing attorney(s) at the last known office address of the
16 attorney(s), and deposited with the United States Post Office at Portland, Oregon on the
17 date set forth above.
- 18 by causing a full, true and correct copy thereof to be **hand delivered** to the attorney(s) at
19 the last known address listed above on the date set forth above.
- 20 by sending a full, true and correct copy thereof via **overnight mail** in a sealed, prepaid
21 envelope, addressed to the attorney(s) as shown above on the date set forth above.
- 22 by **faxing** a full, true and correct copy thereof to the attorney(s) at the fax number shown
23 above, which is the last-known fax number for the attorney(s)' office on the date set forth
24 above.
- 25 by transmitting full, true and correct copies thereof to the attorney(s) through the court's
26 Cm/ECF system on the date set forth above.

27 /s/Matthew E. Malmshemer

28 **STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING DEADLINE FOR
RESPONSES AND REPLIES TO MOTIONS IN LIMINE/OBJECTIONS TO EVIDENCE**
Case No. 4:08-cv-04481-SBA

0000018052H073 PL25